

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

HAROLD W. COLEMAN

§

V.

§

CIVIL ACTION NO. 6:05CV121

DIRECTOR, TDCJ-CID

§

ORDER OF DISMISSAL

Came on for consideration the above-referenced civil action, this Court having heretofore ordered that this matter be referred to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

ORDERED that no relief be granted Petitioner in the above-styled case and the same shall be and is hereby **DISMISSED** without prejudice from the docket of this Court and the statute of limitations tolled for ninety days for any claims raised in this application which have not yet been raised in an application for writ of habeas corpus in the state court. All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 17th day of June, 2005.

A handwritten signature in black ink, reading "Michael H. Schneider", is written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE